

JUL 25 2005

Vinson &amp; Elkins

Facsimile

Michael Smith msmith@velaw.com  
Tel 512.542.8530 Fax 512.236.3330

From:	Date:	
Michael Smith	July 25, 2005	
Regarding:	Number of Pages:	Hard Copy Follows:
MAR618/75000 4-6(A)(US)	16	No
To:	Fax:	Phone:
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Vinson & Elkins LLP Attorneys at Law Austin Beijing Dallas  
Dubai Houston London Moscow New York Tokyo Washington

2801 Via Fortuna, Suite 100, Austin, TX 78746-7588  
Tel 512.542.8400 Fax 512.542.8612 www.velaw.com

**Vinson&Elkins**

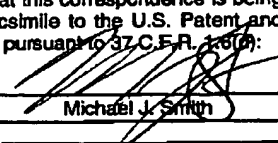
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**JUL 25 2005**

Michael J. Smith mjsmith@velaw.com  
Tel 512.542.8530 Fax 512.236.3330

July 25, 2005

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Commissioner for Patents  
P. O. Box 1450  
Arlington, VA 22313-1450

<b>CERTIFICATE OF Facsimile</b> 37 C.F.R. 1.8	
I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office pursuant to 37 C.F.R. 1.86(a):	
July 25, 2005	
Date	Michael J. Smith

Re: U. S. Patent Application No. 10/031,922 entitled "PRESERVED PHARMACEUTICAL FORMULATIONS" by Atef Gayed  
(Our Ref: MAR618/4-006(A)US/75000)

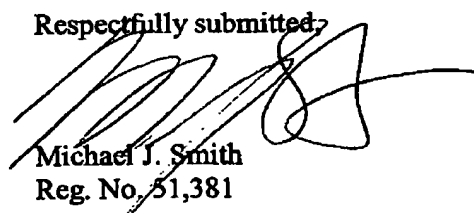
Sir:

Enclosed for filing in the above-referenced patent application are the following:

1. Petition To Withdraw From Issue Under 37 C.F.R § 1.313(c); and
2. Credit Card Payment Form.

The Commissioner is hereby authorized to charge \$130.00 as indicated on the attached Credit Card Payment Form. If the enclosed authorization is inadvertently omitted or deficient, or should an overpayment be included herein, the Commissioner is hereby authorized to appropriately deduct or credit the requisite amount from VINSON & ELKINS L.L.P. Deposit Account No. 22-0365/MAR618/4-006(A)US/75000.

Respectfully submitted,

  
Michael J. Smith  
Reg. No. 51,381

102061:3058  
Enclosures

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Vinson & Elkins LLP Attorneys at Law Austin Beijing Dallas  
Dubai Houston London Moscow New York Tokyo Washington

First City Tower, 1001 Fannin Street, Suite 2300, Houston, TX 77002-6780  
Tel 713.758.2222 Fax 713.758.2346 www.velaw.com

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JUL 25 2005

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Gayed

Serial No.:10/031,922

Filed: May 13, 2002

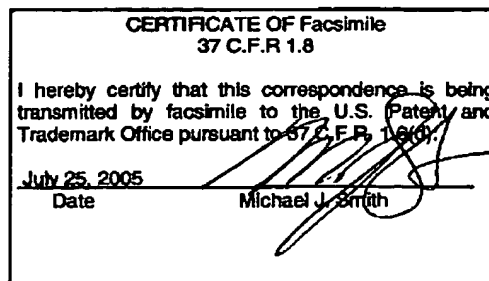
For: PRESERVED PHARMACEUTICAL  
FORMULATIONS

Group Art Unit: 1614

Examiner: Raymond J. Henley III

Atty. Dkt. No.: MAR618/4-6(A)(US)

Confirmation No. 2807



**PETITION TO WITHDRAW FROM ISSUE UNDER 37 C.F.R § 1.313(c)**

Mail Stop Petitions  
Commissioner for Patents  
U.S. Patent and Trademark Office  
P. O. Box 1450  
Arlington, VA 22313-1450

Sir:

This petition is a request under 37 C.F.R. § 1.313(c) to withdraw from issue the captioned application as Claim 21 is unpatentable under 35 U.S.C. § 112, para. 2 for listing an improper *Markush* group.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3.

**Remarks** begin on page 12.

07/26/2005 MBINAS 00000020 10031922

A credit card authorization is enclosed for the following fee: <sup>01</sup> FC:1464

130.00 OP

Fee Code 1464 (petition under 37 C.F.R. § 1.313) \$130.00 USD

Appl. No. 10/031,922

Petition to Withdraw from Issue Under 37 C.F.R. § 1.313(c)

No additional fee is believed due, however, if a fee is required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fee from Vinson & Elkins LLP Deposit Account No. 22-0365/ MAR618/4-6(A)(US)/75000.